

**REGULAR MEETING
FEBRUARY 21, 2002**

The Ashland Board of Commissioners met in Regular Session in the Commission Chambers, City Building, Ashland, Kentucky, on Thursday, February 21, 2002, at the hour of 7:00 PM. Those present were Commissioners: Larry Brown, Kevin Gunderson, W. Russell Powell, Polly Rideout and Mayor Paul Reeves, who presided. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Deborah Musser, City Clerk; Mark Osborne, Fire Chief; Tom Kelley, Chief of Police; Tony Grubb, Finance Director; Jim Shaw, Director of Planning and Community Development; Greg Rice, Safety/Risk/Insurance Manager; and Reporters.

The invocation was given by Commissioner Gunderson.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Fisher presented the agenda of February 21, 2002. Motion was made by Brown, seconded by Gunderson, to receive and file the agenda. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay - none. Motion passed.

HEARINGS AND REPORTS

City Manager's Report –

- (1) Riverfront Park Committee meetings – 2/14 organizational & 2/21 Student Advisory Committee at Ashland Independent School System
- (2) 13th Street water storage tank out for service for maintenance & cleaning
- (3) Strategic plan efforts underway – Departments are to inform City Manager of schedule of meetings next week
- (4) Work is proceeding on the juvenile detention center and old structures on the property have been demolished
- (5) Work session – Meeting is to be recessed until 4:00 PM on February 28

Mayor & City Commissioners' Comments – Mayor Reeves welcomed the audience.

Commissioner Powell requested Corporation Counsel Martin draft a resolution regarding the coal dock at 53rd & the Riverfront in opposition to the re-permit for the facility and include a request to the State Department of Transportation to conduct a traffic study. Natural Resources & Environmental Protection Agency conduct an environmental study of the effect of putting the dock back in operation for consideration at the work session. Economic Development Director Melvin contacted Ray Johnson of the Railroad Division of the State who encouraged the involvement of the entire affected neighborhood including businesses and residents. Jack Hollan and Girish Patel are leading the effort on behalf of the neighborhood. The Quiet Zone will be on the agenda for the recessed meeting.

Commissioner Rideout explained she had talked with Mr. Patel about the increase in the decibels for the warning toots and thought the Environmental Protection Agency would object.

Corporation Counsel Martin reported the railroad would need to prepare cost estimates for the quad gates and an ordinance could be adopted but the City would have to be ready to take the necessary action to proceed.

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HEARINGS & REPORTS CONTINUED

Commissioner Rideout requested Economic Development Director Melvin write a letter of appreciation to Ann Latta, State Director of Tourism, for initiation in Ashland of the State Tourism campaign in conjunction with Kroger.

PUBLIC PARTICIPATION

Christopher Barr, 222 22nd Street, explained he couldn't attend the last meeting. He expressed concern about comments he had heard about members of the NAACP and a statement in the newspaper. Mr. Barr expressed dissatisfaction with attendance of the Commission at the Martin Luther King celebration.

OLD BUSINESS
SECOND READING & FINAL ADOPTION

ORDINANCE NO. 19, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND JOHN D. AND NANCY R. STAFFORD REGARDING A PARKING ENCROACHMENT AT 1301 GREENUP AVENUE ON THE CITY'S RIGHT-OF-WAY.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Ashland Board of City Commissioners hereby authorizes and directs Paul R. Reeves, Mayor, to execute an agreement between the City of Ashland and John D. and Nancy R. Stafford regarding a parking encroachment at 1301 Greenup Avenue which involves using a portion of the City's right-of-way. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/PAUL R. REEVES
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 7, 2002
READOPTED BY THE BOARD OF COMMISSIONERS: February 21, 2002
PUBLISHED:

MOTION

Motion was made by Powell, seconded by Gunderson, to adopt Ordinance No. 19, 2002, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay - none. Motion passed.

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 20, 2002

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 20, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND DON HALL CHEVROLET REGARDING AN ENCROACHMENT FOR A SIGN AT 1846 GREENUP AVENUE ON THE CITY=S RIGHT-OF-WAY.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Ashland Board of City Commissioners hereby authorizes and directs Paul R. Reeves, Mayor, to execute an agreement between the City of Ashland and Don Hall Chevrolet regarding an encroachment for a sign at 1846 Greenup Avenue using a portion of the City=s right-of-way. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/PAUL R. REEVES
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	February 7, 2002
READOPTED BY THE BOARD OF COMMISSIONERS:	February 21, 2002
PUBLISHED:	

MOTION

Motion was made by Gunderson, seconded by Rideout, to adopt Ordinance No. 20, 2002, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay - none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 21, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE AN AGREEMENT WITH JEFF FRANZ FOR THE INSTALLATION OF A WATER LINE EXTENSION OUTSIDE THE CITY LIMITS ON SKYLINE DRIVE.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 21, 2002 CONTINUED

SECTION 1. That Paul R. Reeves, Mayor of the City of Ashland, Kentucky, be and is hereby authorized to execute an agreement between the City of Ashland, Kentucky, and Jeff Franz for the installation of a water line extension outside the city limits on Skyline Drive for the Department of Public Services. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/PAUL R. REEVES
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 7, 2002
READOPTED BY THE BOARD OF COMMISSIONERS: February 21, 2002
PUBLISHED:

MOTION

Motion was made by Rideout, seconded by Powell, to adopt Ordinance No. 21, 2002, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay - none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 22, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY,
AUTHORIZING AND DIRECTING PAUL R. REEVES,
MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE
CITY OF ASHLAND, KENTUCKY AND THE ASHLAND
MAIN STREET PROGRAM, INC. REGARDING
RENAISSANCE KENTUCKY.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Paul R. Reeves, Mayor, be and he is hereby authorized and directed to execute an Agreement between the City of Ashland, Kentucky and The Ashland Main Street Program, Inc. regarding Renaissance Kentucky. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/PAUL R. REEVES
MAYOR

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 22, 2002 CONTINUED

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 7, 2002
READOPTED BY THE BOARD OF COMMISSIONERS: February 21, 2002
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Rideout, to adopt Ordinance No. 22, 2002, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay - none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 23, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REPEALING ORDINANCE NO. 152, SERIES OF 2000, AND ESTABLISHING AND PROMULGATING CERTAIN PROCEDURAL REGULATIONS AND PREREQUISITE QUALIFICATIONS RELATING TO THE RECRUITMENT AND SELECTION OF POLICE OFFICERS FOR THE DEPARTMENT OF POLICE OF THE CITY OF ASHLAND; PROVIDING FOR A ONE YEAR PROBATIONARY PERIOD OF SERVICE UPON ORIGINAL EMPLOYMENT AS A POLICE OFFICER; REQUIRING CERTAIN PRESCRIBED RELATED EDUCATION AND TRAINING; AND FURTHER PROVIDING FOR PERFORMANCE EVALUATION AND STANDARDS OF DISCIPLINE FOR ALL SUCH EMPLOYEES; THIS ORDINANCE TO BE KNOWN AND REFERRED TO AS A "COMPREHENSIVE HIRING ORDINANCE FOR POLICE OFFICERS FOR THE DEPARTMENT OF POLICE".

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:
SECTION 1. INTRODUCTION

The procedures and requirements for recruitment, selection, employment, training and evaluation of entry level police officers with the rank of patrolman for the Department of Police (also referred to herein as the "Police Department") of the City of Ashland, Kentucky, shall be hereafter prescribed in this ordinance or any future amending or superseding ordinance thereto. Each officer of the Ashland Police Department shall be bound by the requirements of this ordinance and shall be subject to the rules, regulations, general orders, and special orders of the Ashland Police Department.

This ordinance shall be known and may be referred to as the "Comprehensive Hiring Ordinance for Police Officers for the Department of Police of the City of Ashland."

For the purpose of this ordinance, those words, terms or phrases used herein in the masculine gender shall include the feminine gender, and those words, terms or phrases used herein in the feminine gender shall include the masculine gender, except where the usage clearly indicates otherwise.

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ORDINANCE NO. 23, 2002 CONTINUED

SECTION 2. DEFINITIONS

For the purpose of this ordinance, the following terms and phrases shall have the meanings here ascribed thereto:

<u>Department of Criminal Justice Training (DOCJT)</u> -	A Department of the Kentucky Justice Cabinet as established by KRS 15A.020 and as amended, for the purpose of providing training to police officers.
<u>career status police officer</u> -	A police officer who has completed his required probationary period of employment and has been approved as required by this ordinance or amending or superseding ordinances, and has been appointed to career status pursuant to the terms of Section 29 of this ordinance.
<u>coach-adviser</u> -	A career status police officer to whom a probationary police officer is assigned for on the job training and guidance.
<u>date of appointment</u> -	The date upon which the Board of Commissioners of the City of Ashland, Kentucky, by affirmative vote, approves the appointment of an individual to the Police Department of said City.
<u>duty sergeant</u> -	Any on-duty police sergeant assigned to a patrol team.
<u>Kentucky Law Enforcement Council (KLEC)</u> -	An independent administrative body of state government made up of the attorney general, law enforcement department heads throughout the Commonwealth of Kentucky, members of higher education and a city manager or mayor, a member of the Kentucky State Bar Association and a citizen of Kentucky not coming without the previous classifications. The council is vested with the powers to prescribe standards for law enforcement training required under KRS 15.310 to 15.510 and KRS 15.990 to 15.992, along with other functions.
<u>patrol division commander</u> -	A police captain assigned to command the entire patrol division.
<u>point value</u> -	Numerical value of ratings assigned for completion of certain sections of this ordinance, which describe the selection process.

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ORDINANCE NO. 23, 2002 CONTINUED

probationary police officer -

A police officer who has not reached the first anniversary from his date of appointment.

probationary period -

A period of one year beginning on date of appointment and ending on first anniversary date of employment.

residence -

That place where a person has his true, fixed and permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. This residence shall determine where a person may exercise the privilege of voting and other legal rights and privileges.

team commander -

A police lieutenant assigned to a group of personnel for the purpose of accomplishing the police duties required of that group during a tour of duty.

SECTION 3. VACANCIES - ADVERTISING REQUIREMENT

Upon notification by the Chief of Police that a vacancy or vacancies exist for the position of police officer within the Department of Police, or that additional police officers have been authorized to be added to the Police Department of the City of Ashland and the selection roster (Section 14) has expired or contains no additional qualified applicants, the City Manager shall authorize and require the City Clerk/Human Resources Director to make public by appropriate advertising the intent of the City of Ashland to employ such personnel. Basic prerequisite qualifications for police officer, dates, hours, and place applications may be obtained and a closing date for receiving completed applications shall be indicated in such advertisement.

The City of Ashland is an equal opportunity employer and subscribes to the Affirmative Action Plan, M/F.

The requirement for any documents to be attached to or presented with the completed application shall be noted thereon.

SECTION 4. PREREQUISITE QUALIFICATIONS AND REQUIREMENTS OF APPLICANTS FOR POLICE OFFICER

Prior to a conditional offer of employment for the position of police officer, each applicant must meet the following prerequisite requirements:

Applicant must:

- (a) by the date of probationary appointment be twenty-one (21) years of age and not over age forty (40) unless applicant has had as much as five (5) years experience as a regular police officer and is not over fifty-five (55) years of age per KRS 95.762;
- (b) be a high school graduate or must have earned a General Educational Development (GED) Diploma for high school level;
- (c) if a veteran of any branch of the Armed Forces of the United States present with his application official documentation, or his DD214, Official Discharge, showing the reason for his discharge. The applicant must have received an honorable discharge;

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ORDINANCE NO. 23, 2002 CONTINUED

- (d) have any other qualifications as may be prescribed by Kentucky Statutes, K.L.E.C. Peace Officer Professional Standards (P.O.P.S.) or ordinances of the City of Ashland, Kentucky;
- (e) be an orderly, law-abiding citizen of the United States with no prior felony conviction(s); or convictions of domestic violence and is not prohibited by federal or state law from possessing a firearm.
- (f) not have had certification as a peace officer revoked in Kentucky or any other state;
- (g) be a person of sobriety and integrity, and of sound mind and body;
- (h) be willing to become a qualified voter of the Commonwealth of Kentucky, if employed;
- (i) be willing to undergo and successfully complete thorough physical agility tests;
- (j) be fingerprinted and undergo and successfully complete thorough personal background investigation prior to probationary appointment provided the applicant satisfactorily passes the written examination;
- (k) be willing to submit to and successfully complete polygraph testing;
- (l) provide a truthful statement certifying he has not used illicit drugs for the past 12 months;
- (m) as a pre-condition to employment and a condition to continued employment, execute a waiver to submit to random testing for illicit drugs. This waiver will be in force as long as employed by the Ashland Police Department;
- (n) after a conditional offer of employment be willing to undergo and successfully complete thorough psychological and medical examinations;
- (o) possess a valid license to operate a motor vehicle;
- (p) be willing to submit to a yearly medical examination; and
- (q) be willing to execute a repayment agreement for continued employment with the APD for a minimum of 36 months.

SECTION 5. RE-EMPLOYMENT

The purpose of this section is to allow the City of Ashland to re-employ trained qualified personnel to the ranks of the Police Department under the following conditions:

1. Applicant left city service in good standing,
2. Applicant was employed for at least one year,
3. Applicant meets all current employment requirements, and
4. Re-employment has the recommendation of the City Manager, and approval of the Mayor and City Commissioners.

SECTION 6. TESTING AND EVALUATION PROCEDURES

The following guidelines will be used in the testing and hiring procedure.

- Step 1: Applications
- Step 2: Written Examination
- Step 3: Physical Fitness Evaluation
- Step 4: Background Investigation

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ORDINANCE NO. 23, 2002 CONTINUED

- Step 5: Polygraph
- Step 6: Experience
- Step 7: Education
- Step 8: Residency
- Step 9: Oral Interview & Evaluation
- Step 10: Selection Roster
- Step 11: Recommendation by City Manager & selection by Board of Commissioners
- Step 12: Mental/Emotional Evaluation
- Step 13: Medical Exam
- Step 14: Repayment Agreement
- Step 15: Oath
- Step 16: Orientation, Processing, Training, Assignments, Evaluation, etc.

SECTION 7. WRITTEN EXAMINATION

Within a reasonable time after the closing date for receiving applications, applicants who have returned their applications in a timely manner and who meet the prerequisite requirements of Section 4 of this ordinance, shall be administered a written examination to determine the ability of each applicant for the position to be filled, covering, but not limited to, the following:

- (a) knowledge of and ability to read, write, and understand the English language;
- (b) ability to observe and recall information, facts, and characteristics relevant to the duties of the position applied for;
- (c) ability to understand and follow directions correctly; and
- (d) general comprehension and knowledge;

Passing grade for such written examination shall be minimum score of seventy percent, i.e. (70%). The point values of indicated ratings for the written examination shall be thirty-five (35) points for a score of 70, thirty-five and one-half (35.5) for a score of 71, continuing up to and including 100 percent with the highest possible score being fifty (50) points:

PERCENTILE	100	99	98	72	71	70
POINT VALUE	50	49.5	49	36	35.5	35

Additional exams consistent with those used for hiring citywide may be administered and scored according to citywide standards set by the City Manager. Examples of the interview and evaluation form, and applicant score sheets with test descriptions, etc. are attached as Addendum A. The additional tests and minimum scores, as well as all forms may change from time to time as approved by the City Manager.

SECTION 8. PHYSICAL FITNESS EVALUATION

8.1 BASIS: Consistent with the implementation of the Peace Officer Professional Standards and Certification Act, all applicants for the position of police officer shall be required to pass a battery of physical fitness tests.

Applicants will be required to complete a battery of tests, consisting of a 1.5 mile run, 300 meter run, maximum push up, vertical jump, one repetition maximum bench press, and one-minute sit-up. Each test has a minimum for successful completion of the test. If an applicant fails any of the individual tests, then that applicant has not met the physical training standards.

All applicants will be required to have a medical examination to determine if they can safely participate in the physical agility testing. All applicants must have a Department of Criminal Justice Training Medical Release Form signed by a physician or physicians assistant prior to taking the physical fitness test.

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ORDINANCE NO. 23, 2002 CONTINUED

The physical fitness tests and standards have been established by the Kentucky Law Enforcement Council (KLEC) and the Department of Criminal Justice Training (DOCJT). The tests selected have been validated by Dr. Thomas A. Collingwood of Fitness Intervention Technology in Dallas, Texas, and determined to be most indicative of the areas of physical fitness necessary to perform the function of a peace officer in the state of Kentucky. These tests and standards shall be used for each applicant for the position of peace officer without regard to age or gender.

The evaluation is for the purpose of demonstrating physical skills necessary to perform essential job functions and to determine as accurately as possible the ability of the applicant to cope with the extreme physical stress of a police officer. The evaluation shall be conducted and supervised by the Ashland Police Department Physical Fitness Director or his designee. The Physical Fitness Director shall express a written opinion to the Chief of Police as to each applicant's ability to perform physical tasks relative to real tasks performed on the job.

Each applicant shall receive a copy of the evaluation format a reasonable amount of time prior to the evaluation.

8.2 PHYSICAL FITNESS: Physical fitness means having the physical readiness to perform the strenuous and critical tasks of the job. The physical fitness areas that have been determined to be the underlying factors for an officer's capability to do the job consist of six specific and different areas.

1. Aerobic power or cardiovascular endurance. This is having an efficient heart and cardiovascular system so that an officer can perform physical tasks over a sustained period of time. It is an important area for performing job tasks such as making foot pursuits and long term use of force situations.
2. Anaerobic power. This is having the ability to make short intense bursts of effort. This is an important area for performing job tasks such as short sprint pursuit situations.
3. Upper body absolute strength. This is having the upper body strength to make maximal efforts against a resistance. This is important for performing physical tasks that require lifting, carrying and pushing.
4. Upper body muscular endurance. This is having the capability to make repeated muscular contractions with the upper body without getting fatigued. This is important for many uses of force job tasks.
5. Trunk or abdominal muscular endurance. This is having the capability to make repeated muscular contractions with the abdominal area without getting fatigued. The abdomen is the fulcrum of the body and is important in many tasks involving lifting, pulling and dragging.
6. Leg explosive strength or power. This is having the capability to jump with power. This is important for performing many tasks such as jumping over obstacles and running up and down stairs in pursuit situations.

8.3 MEASUREMENT: Physical fitness will be measured during the performance of six physical fitness tests that will be given in one day.

1. 1.5 mile run. This measures aerobic power or cardiovascular endurance (the ability to have stamina over time). This test consists of running/walking, as fast as possible, the distance of 1.5 miles.
2. 300 Meter Run. This measures aerobic power or the ability to make an intense burst of effort for a short time period or distance. This test consists of sprinting 300 meters as fast as possible.
3. One Repetition Maximum (RM) Bench-Press. This measures the absolute strength of the upper body. The candidate lies on a bench and pushes up as much weight as possible one time.

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- 4. Maximum Push up Test. This measures the muscular endurance of the upper body. The candidate executes as many push-ups as possible from the front, lean and rest position with no time limit.
- 5. One Minute Sit up Test. This measures the abdominal or trunk muscular endurance. While lying on the ground, the candidate executes in one minute as many bent leg sit ups as possible.
- 6. Vertical Jump Test. This measures leg power. The test consists of measuring how high a person jumps.

Each test is scored separately and each applicant must meet the standard on each and every test. **If an applicant fails any of the individual tests, then that applicant has not met the physical training standards.**

SCORE CHART

	1 point	3 points	5 points
TEST	AVERAGE	ABOVE AVERAGE	EXCEEDS
Vertical Jump	16 Inches	17 inches	18 inches
Bench Press	64% of Body Weight	73% of Body Weight	81% of Body Weight
1 Minute Sit Up	18 sit ups	19 sit ups	20 sit ups
300 Meter Run	61-65 seconds	56-60 seconds	<56 seconds
Max Push Up	20-24 push ups	25-29 push ups	>30 push ups
1.5 Mile Run	17:12	16:15	15:18

The procedure and order for testing will be as follows:

1. Warm up for 3 minutes; test in the Vertical Jump and then rest for 2 minutes.
2. Test in the One Repetition Maximum Bench Press, and then rest for 5 minutes.
3. Test in the One-Minute Sit Up, and then rest for 15 minutes.
4. Test in the 300-Meter Run, then rest for 15 minutes.
5. Test in the Maximum Push Up, and then rest for 30 minutes.
6. Warm up for 2 minutes, then test in the 1.5 Mile Run and cool down for 5 minutes.

Rating Point Value: A total of 30 points possible. 1 point for each exercise scored in the average category, 3 points for each exercise scored in the above average category and 5 points for each exercise scored in the exceeds category.

8.4 PHYSICAL FITNESS TRAINING REQUIREMENTS: Any applicant hired after December 31, 1980, shall be required to participate in bi-annual physical fitness evaluation and examination. These officers shall maintain the DOCJT minimum exit standards to satisfactorily complete the bi-annual physical fitness evaluation. Any officer failing to satisfactorily complete the bi-annual physical fitness and evaluation shall be subject to the progressive discipline procedure of the Ashland Police Department. The physical fitness director shall be responsible for scheduling the training/evaluations and shall submit to the Chief of Police a bi-annual report summarizing the training. The physical fitness director and his appointed assistants shall have the authority to maintain discipline during physical training/evaluations sessions, including removing from training any trainee officer who is not being responsive to the instructions of the physical fitness director or his assistant(s).

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8.5 DISCRETIONARY PHYSICAL FITNESS TRAINING: Every sworn officer of the Ashland Police Department hired after December 31, 1980, is required to participate in the bi-annual physical fitness program and may be granted up to three (3) hours per week duty time for discretionary physical fitness training.

Every sworn officer of the Ashland Police Department hired prior to December 31, 1980, who chooses to participate in the Department's health maintenance program may be granted up to three (3) hours per week duty time for discretionary physical fitness training. For these officers, physical fitness training shall be a program developed and/or approved by the Ashland Police Department Physical Fitness Director or designee. Each officer's progress shall be evaluated bi-annually to determine if changes are necessary to the program prescription. This is a health maintenance program and no officer who volunteers to participate shall be subject to any disciplinary action for a below average evaluation.

Discretionary physical fitness training shall be scheduled so that it shall not result in payment of overtime to the officer undergoing training or any other City employee. Discretionary physical fitness training is subject to change or cancellation at the discretion of a Police Department command officer.

8.6 ANNUAL MEDICAL EXAMINATION: Effective July 1, 1994, sworn officers of the Department may receive a comprehensive yearly medical examination at no cost to the officer. This examination will be provided by a physician selected by the City. Participation in this program by officers hired prior to July 1, 1994, is voluntary.

Each sworn officer employed after July 1, 1994, is required to participate in the yearly medical examination in addition to the bi-annual physical fitness evaluation. Results of the individual medical examinations are confidential and will not be reported to the City. Medical concerns identified by the physician will be referred to the officer for follow-up with his/her personal physician.

SECTION 9. PERSONAL BACKGROUND INVESTIGATION

Each applicant who passes the written examination as provided in Section 7 of this ordinance, shall be required to complete a detailed personal history questionnaire as set forth above and shall be subject to a comprehensive personal background investigation which shall be conducted by the Chief of Police or his appointed agent.

The Chief of Police or his appointed agent shall contact references indicated upon the application and upon the personal history questionnaire and their personal evaluations of the applicant shall be noted by the Chief of Police or his appointed agent.

Further investigation shall be made relating to the applicant's:

- (a) educational background;
- (b) past employment history;
- (c) personal background as such relates to the position applied for;
- (d) credit standing;
- (e) criminal records; and
- (f) any other relative information discovered during the course of investigation or which might relate to the applicant's qualification for the position applied for.

Such investigation shall be continued until all elements of the personal background investigation have been verified or disproved. The Chief of Police or his appointed agent shall prepare a written record of all findings which shall be reviewed and evaluated. The Chief of Police shall make a recommendation to the City Manager as to the applicant's fitness for the position applied for.

SECTION 9.1 POLYGRAPH

Each applicant shall be required to complete a polygraph examination which shall be conducted by a polygraph examiner selected by the City of Ashland.

SECTION 10. EXPERIENCE

The Police Chief, or the City Manager, together with the Human Resources Director shall assign points after comparing experience with the job description. Minimum requirement is three points.

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Qualifications	Points
Generally meets requirements	3 (minimum required)
Meets most requirements	4
Meets all requirements	5
Exceeds requirements (job related)	6
Greatly exceeds (job related)	7

SECTION 11. EDUCATION

The Police Chief, or the City Manager, together with the Human Resources Director shall assign points after a comparison with the educational requirements of the job description. Minimum requirement is three points.

Qualifications	Points
Generally meets requirements	3 (minimum required)
Meets most requirements	4
Meets all requirements	5
Exceeds requirements (job related)	6
Greatly exceeds (job related)	7

SECTION 12. RESIDENCE POINTS

Any candidate who is an Ashland resident, or an immediately previous resident who is a full time out of town student or member of the U.S. military, shall receive four points. There are no points for county, region or state residency.

SECTION 13. ORAL INTERVIEW AND EVALUATION

Upon having satisfactorily met requirements prior to the oral interview as set forth in this ordinance, the applicant shall meet with the Chief of Police or his designee, the City Clerk/Human Resources Director or her designee, and a career status police officer for the purpose of submitting to an oral interview in order that those conducting the interview may better ascertain the applicant's qualification for the position of Police Officer and of the applicant's probability of completing all training established by the Kentucky Justice Cabinet, Department of Criminal Justice Training, and applicant's probationary period of employment.

Persons conducting the interviews of applicants shall have at their disposal the results of all investigations, qualifications, examination requirements, and evaluations.

The interview allows a maximum of twenty (20) points. There is no minimum; however, each interviewer shall mark candidates as *acceptable* or *not acceptable*. The City Manager shall review the interview sheets of candidates marked *not acceptable* by a majority of the interviewers. Unless the City Manager overrules the *not acceptable* recommendations for just cause, no such candidate shall be recommended for hire.

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 23, 2002 CONTINUED

SECTION 14. SELECTION ROSTER

Based upon total scores including the results of the oral interview, applicants shall be placed upon a selection roster and presented to the City Manager for consideration for employment in the order of highest point value earned to lowest point value earned during the selection process. The roster shall remain effective for six (6) months from the date the first applicant on the roster is appointed or until the City Manager, in his discretion, determines that a new hiring list should be created. Thereupon, a new application process begins. Qualified applicants listed on the roster shall be recommended for employment from time-to-time on the basis of highest points earned during the selection process and as vacancies occur in the Ashland Police Department. Notices to applicants placed on the roster shall advise them of their place on the roster and that the roster may remain in force for a six (6) month period. Departmental seniority shall be determined first by date of appointment and then by rank order on selection roster.

SECTION 15. RECOMMENDATION AND SELECTION

Upon receipt of the recommendation provided in Section 14, the City Manager shall present to the Board of Commissioners his recommendation for a conditional offer of employment as a probationary police officer(s). The Board of Commissioners shall approve or disapprove the City Manager's recommendation. When approved, the applicant(s) must then submit to a comprehensive mental/emotional evaluation and medical examinations as written in Section 16 and Section 17 of this ordinance. If the applicant(s) successfully completes the required medical and psychological examinations, he shall proceed to the next step in the probationary process or shall qualify to take the statutory oath of office. When the applicant(s) given the conditional offer of employment does not successfully complete the medical and/or psychological examination, the conditional offer of employment shall be withdrawn and the applicant(s) shall no longer be considered for employment. The City Manager shall then take from the eligibility list the next most qualified applicant(s) and such applicant(s) shall be presented by the City Manager to the Board of Commissioners for its approval or disapproval of a conditional offer of employment. This process shall continue until qualified applicants have met all requirements, the eligibility list has been deleted or has expired, or a decision is made not to fill the position.

SECTION 16. MENTAL/EMOTIONAL EVALUATION AND QUALIFICATIONS

The applicant shall be free from any mental illness and shall have normal emotional stability, as determined by a competent psychologist.

If not disqualified by reason of any required prior examination and evaluation, the applicant shall submit to a mental/emotional evaluation by a competent psychologist selected by the City.

Applicant shall reveal to the examiner his history of any mental or emotional abnormality and treatment received therefor.

The examiner may request additional examination of the applicant if necessary to clarify questions related to such evaluation.

Report shall be made by such examiner of applicant's history of any mental derangement or mental abnormality as to type, treatment received, and confinement in any institution for treatment of such disorder.

The examiner shall submit a written evaluation of the applicant's mental/emotional stability under stress such as he might commonly be exposed to in performing the duties common to police work.

The examiner shall express his opinion in writing as to whether or not the applicant appears to be, in his professional opinion, mentally/emotionally fit for duty as a police officer.

SECTION 17. MEDICAL EXAMINATION AND QUALIFICATIONS

If not disqualified by reason of any prior required examination and evaluation, each applicant shall submit to a medical examination by a qualified physician selected by the City who shall evaluate the applicant's medical history to determine the applicant's ability to perform essential job functions for the position of police officer.

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 23, 2002 CONTINUED

The required medical pre-placement examination will include a medical history, complete physical examination, and will include, but is not limited to, the following tests:

1. Chest x-ray
2. Electrocardiogram
3. Audiometric exam
4. Pulmonary function studies
5. Visual acuity testing
6. CBC, blood chemistry profile and HIV testing
7. TB skin unless history of previous positive testing
8. Urine drug screen

The findings of the medical history/physical examination, and the preceding listed tests, should be compatible with performance of the mental and physical demands as listed in the job description and meeting standards as established by KLEC and P.O.P.S. Medical Screening. The K.L.E.C./P.O.P.S. Medical Screening Guidelines Implementation Manual is attached as Addendum B.

Conditions which are of questionable etiology are to be referred to the employee's personal physician for further evaluation prior to any medical clearance being issued. The results and diagnosis from an employee's personal physician may be utilized in determining the fitness for placement.

Placement of any employee whose condition or history indicates other than normal health should not put the employee, fellow workers, or the public at any increased risk of injury or health detriment.

The examiner shall express his opinion in writing as to whether or not the applicant is physically fit for duty as a police officer.

THE FOLLOWING SECTIONS RELATE TO THE REQUIREMENTS OF THE PROBATIONARY PERIOD PRIOR TO APPOINTMENT AS A CAREER STATUS POLICE OFFICER

SECTION 18. AGREEMENT

A newly hired probationary police officer shall agree to and sign the attached repayment agreement.

SECTION 19. OATH REQUIRED

Upon initial employment by the City of Ashland as a police officer, prior to the commencement of such duties, he shall be administered the statutory oath of office by a person qualified to administer such oaths.

SECTION 20. ORIENTATION AND PROCESSING OF NEWLY APPOINTED POLICE OFFICERS

Newly appointed members of the Department of Police shall report to the Chief of Police, at the Chief's request, for orientation and processing. Orientation and processing shall include an offer for each new member to receive the series of inoculations protecting him from the Hepatitis B virus (HBV). Each member electing to receive the vaccinations shall begin the series of vaccinations prior to departure to basic police training with subsequent vaccinations as scheduled by the Boyd County Health Department.

SECTION 21. PROBATIONARY APPOINTMENT

Each newly appointed member shall enter City service as a probationary police officer and shall serve as such for the probationary period of one (1) year, as hereinafter prescribed, with all pay, benefits and allowances pertinent thereto.

Each police officer shall perform, to the best of his ability, all duties assigned to him and shall be subject to the same disciplinary measures as every other member of the Ashland Police Department, including, but not limited to, written or oral reprimand, suspension, and termination of employment as provided in Section 26 of this ordinance.

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 23, 2002 CONTINUED

SECTION 22. BASIC POLICE TRAINING COURSE REQUIRED

Each police officer shall attend and successfully complete the course of instruction designed as a Basic Police Training Course and taught by the Kentucky Justice Cabinet, Department of Criminal Justice Training within one (1) year of the date of appointment pursuant to KRS 95.955. There shall be no expense to such member for the course of instruction.

Failure to successfully complete training by

1. failing a test and re-test,
2. failing to successfully complete the comprehensive examination at the conclusion of basic training,
3. failing to meet exit level physical fitness standards, shall result in termination of employment of such member.

**SECTION 23. PERFORMANCE OF DUTIES DURING
PROBATIONARY PERIOD**

Each probationary employee shall perform his duties in the presence of a career status police officer who shall be assigned by the Chief of Police as his coach-adviser for the duration of such police officer's field training period.

Thereafter, during the final months of his probationary period of employment, such probationary police officer may perform all duties inherent to the rank of career status police officer under the guidance of, but not necessarily in the presence of, his coach adviser.

**SECTION 24. ASSIGNMENT OF COACH-ADVISER TO
PROBATIONARY POLICE OFFICER**

A coach-adviser of the rank of career status police officer shall be assigned to each probationary police officer. The coach-adviser shall instruct, demonstrate and assist the probationary police officer to whom he is assigned in all aspects of related duties including, but not limited to, the following:

1. familiarization with the rules and regulations, report systems, general orders and directives;
2. use and care of City equipment, including vehicles;
3. proper use and care of personal equipment and uniforms;
4. departmental procedures;
5. conduct, on and off duty;
6. pro-active patrol
7. arrest, court and radio procedures;
8. driving and investigation techniques;
9. traffic control and procedure;
10. vice control;
11. juvenile laws and procedures; and
12. citizen complaints.

Such coach-adviser shall file with the probationary police officer's team commander a weekly progress and evaluation report, in writing, on forms provided, which will assist the team commander in evaluating the probationary member for final release to regular assignments. The team commander shall file periodic evaluation reports of the probationary member with the Patrol Division Commander, who shall advise the Chief of Police of the probationary member's progress.

**SECTION 25. EVALUATION REPORTS - EFFECT ON CAREER
STATUS**

Evaluation reports, endorsed by the probationary police officer's coach-adviser, duty sergeant, team commander, division commander, and the Chief of Police are required before any change of status (i.e., from probationary to career status) is approved. Such evaluation reports shall be forwarded to the Chief of Police:

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 23, 2002 CONTINUED

1. At the conclusion of the probationary police officer's formal schooling at the Kentucky Department of Criminal Justice training;
2. At the end of the probationary police officer's field training program; and
3. Prior to the probationary police officer's first anniversary of the date of employment.

**SECTION 26. TERMINATION OF EMPLOYMENT DURING
PROBATIONARY PERIOD OF EMPLOYMENT**

Any probationary police officer may be terminated from employment at any time during his first year of employment at the discretion of the Chief of Police, with approval of the City Manager and the Board of Commissioners, for any valid reason, including, but not limited to, the following:

1. Inability to perform duties in a progressive manner;
2. Physical or emotional incapacity;
3. Inability to assimilate education and training;
4. Conduct unbecoming an officer;
5. Public drunkenness, on or off duty;
6. Improper or illegal use of vehicle and equipment;
7. Consorting or associating with known criminals, except in line of duty;
8. Insubordination;
9. Negligence or incompetence;
10. Any reason which demonstrates member's undesirable character or lack of integrity; or
11. Any other reason which reflects negatively or with dishonor on the City of Ashland or its Department of Police.

SECTION 27. CAREER STATUS APPOINTMENT

Upon the satisfactory completion of one (1) year of service with the Ashland Police Department of the City of Ashland as a probationary police officer pursuant to the terms and conditions set forth in this ordinance, and upon the recommendation of the Chief of Police, and with the approval of the City Manager, such probationary police officer may be awarded career status with all pay, benefits and allowances pertinent thereto.

SECTION 28. SEVERABILITY OF TERMS

Should any section, subsection, sentence, clause or phrase of this ordinance be held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect any other portion of this ordinance, it being the intention of the Board of Commissioners to enact this ordinance section by section, subsection by subsection, and all sentences, clauses or phrases hereof independently of any other section, subsection, sentence, clause or phrase.

SECTION 29. REPEAL OF CONFLICTING ORDINANCES

All ordinances and parts of ordinances in conflict herewith, including Ordinance No. 152, series of 2000, are hereby repealed.

SECTION 30. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 31. SUMMARY PUBLICATION AUTHORIZED.

It is hereby authorized that publication of this ordinance be in summary form.

/s/PAUL R. REEVES
MAYOR

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 23, 2002 CONTINUED

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 7, 2002
READOPTED BY THE BOARD OF COMMISSIONERS: February 21, 2002
PUBLISHED:

MOTION

Motion was made by Powell, seconded by Brown, to adopt Ordinance No. 23, 2002, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay - none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 24, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AMENDING THE AUTHORIZED POSITIONS TO REFLECT ORGANIZATIONAL CHANGES IN THE DEPARTMENT OF PUBLIC SERVICES, DIVISION OF WATER DISTRIBUTION, AND TO REFLECT THE RECLASSIFICATION OF THE POSITIONS OF CUSTOMER SERVICE SUPERINTENDENT AND SUPERVISOR IN THE DEPARTMENT OF PUBLIC SERVICES, DIVISION OF CUSTOMER SERVICES AND ADOPTING REPLACEMENT JOB DESCRIPTIONS FOR THE POSITIONS OF CUSTOMER SERVICE SUPERINTENDENT AND SUPERVISOR, AS ADOPTED BY ORDINANCE NO. 25, SERIES OF 1991, AS PREVIOUSLY AMENDED.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 25, series of 1991, as previously amended, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, UPDATING PERSONNEL POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN FOR THE CITY OF ASHLAND, KENTUCKY AND REPEALING ORDINANCE NO. 32, SERIES OF 1984, ORDINANCE NO. 72, SERIES OF 1984, ORDINANCE NO.132, SERIES OF 1984, ORDINANCE NO. 83, SERIES OF 1984, ORDINANCE NO. 66, SERIES OF 1985, ORDINANCE NO. 85, SERIES OF 1985 AND ORDINANCE NO. 113, SERIES OF 1987 AND ALL AMENDMENTS THERETO", is hereby amended. The Authorized Positions of said ordinance are hereby amended. The replacement job descriptions for the positions of Customer Service Superintendent and Customer Service Supervisor in the Department of Public Services are hereby adopted. A copy of said amended Authorized Positions and job descriptions is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. 24, 2002 CONTINUED

/s/PAUL R. REEVES
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 7, 2002
READOPTED BY THE BOARD OF COMMISSIONERS: February 21, 2002
PUBLISHED:

MOTION

Motion was made by Powell, seconded by Rideout, to adopt Ordinance No. 24, 2002, at this its second reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay - none. Motion passed.

CONSENT AGENDA

RESOLUTION NO. 7, 2002

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING, AUTHORIZING AND APPROVING THE COURSE OF ACTION RECOMMENDED BY THE CITY MANAGER ON THE ITEMS APPEARING ON THE CONSENT AGENDA FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **FEBRUARY 21, 2002.**

* * * * *

BE IT RSOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action recommended by the City Manager on each item appearing on the "Consent Agenda" for the meeting of **February 21, 2002.** Attached hereto and incorporated herein, as if set out in full, is a copy of the "Consent Agenda" hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/PAUL R. REEVES
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 21, 2002

MOTION

Motion was made by Brown, seconded by Gunderson, to adopt Resolution No. 7, 2002. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. __, 2002

NEW BUSINESS
FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND MICHAEL WAGNER, WAGNER RENTAL, REGARDING A PARKING ENCROACHMENT AT 905 GREENUP AVENUE ON THE CITY'S RIGHT-OF-WAY.

MOTION

Motion was made by Powell, seconded by Gunderson, to adopt Ordinance No. ____, 2002 at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE A LETTER OF AGREEMENT CONSENTING TO THE ASSIGNMENT OF VERIZON SOUTH INC. TO KENTUCKY ALLTEL, INC.

MOTION

Motion was made by Brown, seconded by Powell, to adopt Ordinance No. ____, 2002 at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. ____, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND BADGER METER, INC. FOR THE PURCHASE OF WATER METERS FOR THE MEASUREMENT OF COLD WATER FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISION OF CUSTOMER SERVICE.

MOTION

Motion was made by Gunderson, seconded by Rideout, to adopt Ordinance No. ____, 2002 at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. _____, 2002

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE A LETTER OF AGREEMENT BETWEEN THE CITY OF ASHLAND AND PAUL COMBS & ASSOCIATES, INC. FOR ASSISTANCE IN REVIEWING THE CITY'S CURRENT EMPLOYMENT POLICIES AND PROCEDURES AND CLASSIFICATION AND COMPENSATION PLANS.

MOTION

Motion was made by Rideout, seconded by Brown, to adopt Ordinance No. _____, 2002 at this its first reading.

DISCUSSION

Commissioner Powell stated the committee has never convened and objectives have not been discussed by the Commission. Corporation Counsel Martin is setting up a meeting with the Human Rights Commission. It was noted that changes in the City of Ashland's procedures should be addressed to enhance minority status.

VOTE

Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE A PROFESSIONAL AGREEMENT BETWEEN THE CITY OF ASHLAND, KENTUCKY AND QUEST ENGINEERS, INC., RETAINING QUEST TO PROVIDE ENGINEERING SERVICES FOR THE THOMPSON AVENUE SANITARY SEWER PROJECT WITHIN THE CITY OF ASHLAND, KENTUCKY.

MOTION

Motion was made by Gunderson, seconded by Brown, to adopt Ordinance No. _____, 2002 at this its first reading.

DISCUSSION

The Commission was informed professional services are not bid. It was determined the Commission will be advised prior to consultation with the company and a contract being drawn up.

VOTE

Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

REGULAR MEETING FEBRUARY 21, 2002
ORDINANCE NO. _____, 2002

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING PAUL R. REEVES, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND WHAYNE SUPPLY COMPANY FOR THE PURCHASE OF A RUBBER TIRE TRACTOR/BACKHOE/LOADER FOR THE DEPARTMENT OF PUBLIC SERVICES.

MOTION

Motion was made by Brown, seconded by Powell, to adopt Ordinance No. _____, 2002 at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

FIRST READING & ADOPTION ONLY

ORDINANCE NO. _____, 2002

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, EXTENDING THE CABLE TELEVISION FRANCHISE FOR A PERIOD OF SIX MONTHS.

MOTION

Motion was made by Gunderson, seconded by Rideout, to adopt Ordinance No. _____, 2002 at this its first reading. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

READING & ADOPTION

RESOLUTION NO. 8, 2002

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, URGING CONGRESS TO PRESERVE AMTRAK RAIL PASSENGER SERVICE.

* * * * *

WHEREAS, in 1970, the United States Congress created a national rail passenger network named AMTRAK to provide affordable and accessible rail passenger service to Americans, and

WHEREAS, a significant number of rural Kentuckians and residents of the tri-state area do not have access to public transportation, such as commercial aviation, passenger rail service, and a decline in commercial bus access, and

WHEREAS, the City of Ashland, Kentucky has expended substantial funds as well as funds from the Commonwealth of Kentucky, the United States Department of Transportation, and the operating budget of the City of Ashland to proudly restore a historic building to provide area residents a centralized facility for passenger rail service, commercial bus use, and municipal bus use, and

WHEREAS, the mode of rail transportation has a historic value in the entire Region spanning nearly 100 years, the United States rail passenger service remains a safe, affordable, and fuel-efficient form of transportation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

REGULAR MEETING FEBRUARY 21, 2002
RESOLUTION NO. 8, 2002 CONTINUED

SECTION 1. That the Ashland, Kentucky Board of City Commissioners respectfully requests the Congress of the United States to preserve the funding and the frequency for the AMTRAK Train Cardinal and it's connection availability to other Kentucky cities and the United States.

SECTION 2. That the Clerk of the City of Ashland be directed to send a copy of this Resolution to Honorable Senator Mitch McConnell, Honorable Senator Jim Bunning, Honorable Congressman Ken Lucas and Honorable Governor Paul Patton.

SECTION 3. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/PAUL R. REEVES
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: February 21, 2002

MOTION

Motion was made by Gunderson, seconded by Rideout, to adopt Resolution No. 8, 2002. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

DISCUSSION ITEM

Request for limited use of public right-of-way by Scott L. and Kimberly Jenkins at 2636 Iroquois Avenue – Motion was made by Powell, seconded by Gunderson, authorizing the Legal Department to prepare an ordinance. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

SPECIAL RECOGNITION

Susie McKinney was recognized prior to the meeting for her dedication. Mayor Reeves presented her with a key to the City and a plaque.

EXECUTIVE SESSION

Motion was made by Powell, seconded by Brown, to go into Executive Session at 7:55 PM to discuss pending litigation. Upon roll call, voting aye were Commissioners Brown, Gunderson, Powell, Rideout and Mayor Reeves. Nay – none. Motion passed.

RECONVENED

The meeting reconvened at 8:12 PM and Mayor Reeves announced that the only item discussed was pending litigation with no final action taken.

RECESS

Mayor Reeves declared the meeting recessed at 8:12 PM until February 28, 2002 at 4:00 PM.

PAUL R. REEVES, MAYOR

ATTEST:

DEBORAH MUSSER
CITY CLERK